

Notice of Allowability

Application No.

10/716,576

Applicant(s)

WITTKOPP, SCOTT H.

Examiner

Dirk Wright

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 11192003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

Claims Allowed

Claims 1-11 are allowable over the prior art of record. The claims are allowable because the prior art does not anticipate nor render obvious the claimed combination of: a transmission including at least one planetary gear set, the transmission comprising: a first clutch pack having a plurality of first clutch plates; a second clutch pack located in series axially with the first clutch pack, said second clutch pack having a plurality of second clutch plates; wherein a clutch apply member associated with the second clutch protrudes through said first clutch plates of the first clutch pack; and a substantially cylindrical seal member positioned between the first clutch pack and second clutch pack for preventing substantial flow of cooling fluid between the first and second clutch packs and to direct the cooling fluid through the second clutch pack when the second clutch pack is applied by the clutch apply member; or: a method of directing cooling fluid through a starting clutch pack arranged in series axially with a first clutch pack, wherein a clutch apply member extends through the first clutch pack for applying the starting clutch pack, and wherein there is a gap between the starting clutch pack and first clutch pack, the method comprising: positioning a substantially cylindrical seal member in the gap between the first clutch pack and the starting clutch pack to prevent substantial flow of cooling fluid through the gap and to cause the cooling fluid to flow through the starting clutch pack for cooling when the starting clutch pack is applied by the clutch apply member; or: a transmission including at least one planetary gear set, the transmission comprising: a first clutch pack having a plurality of first clutch plates; a starting clutch pack located in series axially with the first clutch pack, said starting clutch pack having a plurality of starting clutch plates; wherein a clutch apply member associated with the starting clutch pack protrudes through said first clutch plates of the first

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clutch pack; a substantially cylindrical seal member positioned between the first clutch pack and the starting clutch pack for preventing substantial flow of cooling fluid between the first clutch pack and the starting clutch pack and to direct the cooling fluid through the starting clutch pack when the starting clutch pack is applied by the clutch apply member; and wherein said substantially cylindrical seal member has a ring portion with a radially inwardly protruding disk portion, and the ring portion is positioned radially outwardly from the clutch apply member, and the disk portion is positioned between the clutch apply member and the starting clutch pack.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

No particular single feature of the claim renders the claim as a whole patentable. Only the claim taken as a whole combination is deemed new and unobvious.

Prior Art Discussed

The examiner has considered the references cited by applicant in his Information Disclosure Statement filed concurrently with the application. None of the references show all of the features of the claimed invention.

The references cited by the examiner are deemed pertinent to applicant's disclosure. None of the references show all of the features of the claimed invention.

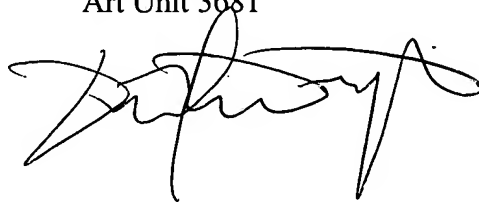
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 571-272-7098. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright
Primary Examiner
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A handwritten signature in black ink, appearing to read 'Dirk Wright', is written over the printed name and title.

DW
Friday, September 16, 2005